JAP:ALC

M-11-154

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JOHN DOE,
also known as
"Edward Erie Elorreaga" and
"Edward Eric Elorreage,"

Defendant.

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COMPLAINT AND AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR ARREST WARRANT

(18 U.S.C. § 1542)

EASTERN DISTRICT OF NEW YORK, SS:

DANIEL ERICKSON, being duly sworn, deposes and says that he is a Special Agent with the Department of State, Diplomatic Security Service ("DSS"), duly appointed according to law and acting as such.

On or about July 16, 2005, within the Eastern District of New York, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," did willfully and knowingly make a false statement in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws.

(Title 18, United States Code, Section 1542).

The source of your deponent's information and the grounds for his belief are as follows:[1]

1. I am a Special Agent with DSS and have been so for two and a half years. I am familiar with the facts and circumstances set forth below from my personal involvement in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. On or about July 16, 2005, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," appeared at an United States Post Office in Queens, New York, and executed an Application for a U.S. Passport (hereafter "2005 Application"). In connection with the 2005 Application, the defendant presented a birth certificate and New York State identification card.

3. On the 2005 Application, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," provided a name of another person as his own and also submitted that person's social security number, date of birth and place of birth as his own. Specifically, the defendant stated

[1] Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

that his name was Edward Erie Elorreaga and that his place of birth was Los Angeles, California.

4. On the 2005 Application, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," further provided a photograph and a mailing address in Jamaica, New York.

5. On March 17, 2006, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," was issued United States Passport No. 217680674.

6. On February 20, 2007, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," was interviewed by DSS agents. The defendant presented to the agents as identification a New York State identification card and social security card bearing the same number as on the 2005 Application, both in the name of "Edward Elorreage." The defendant also presented United States Passport No. 217680674 that was issued as a result of the 2005 Application ("Passport"). The defendant matched the photograph contained in the Passport and submitted on the 2005 Application.

7. During the interview, the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," provided his fingerprints and the name of the defendant's purported uncle.

8. The fingerprints provided by the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," on February 20, 2007, matched those of an individual who had been convicted of a crime on March 12, 1993, under the name "Edward Eric Elorreage." The photograph from the criminal history record associated with the March 1993 conviction matched that of the individual interviewed on February 20, 2007, and the photograph submitted on the 2005 Application and contained in the Passport.

9. On or about March 5, 2007, DSS agents spoke telephonically with the defendant's purported uncle. The individual stated that he recognized the name "Elorreage" as someone who had worked for him several years ago, but did not recognize the defendant's photograph as being the person who had worked for him under the name "Elorreage."

10. On or about February 8, 2010, DSS agents interviewed an individual claiming to be "Edward Elorreaga" (hereinafter "True Elorreaga"). True Elorreaga correctly provided the identification information on the birth certificate that had been presented by the defendant in connection with the 2005 Application. True Elorreaga further provided the contact information for the individual who was listed on the birth certificate as being his mother (hereinafter "True Elorreaga's Mother").

11. On or about December 22, 2010, DSS agents interviewed True Elorreaga's Mother, who identified a photograph of True Elorreaga as being her son and verified the information on the birth certificate presented by the defendant in connection with the 2005 Application. The photograph of True Elorreaga does not match the defendant or the photograph contained in the Passport and submitted on the 2005 Application.

12. On or about February 3, 2011, DSS agents spoke with an individual who resides in an apartment building in Jamaica, New York. The individual recognized the Passport photograph of the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," as being an individual who has lived in the same apartment building for the past several months.

WHEREFORE, your deponent respectfully requests that the defendant JOHN DOE, also known as "Edward Erie Elorreaga" and "Edward Eric Elorreage," be dealt with according to law.

DANIEL ERICKSON
Special Agent
Diplomatic Security Service

Sworn to before me this
11th day of February, 2011

THE HONORABLE JAMES ORENSTEIN
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK